

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:07cr290

UNITED STATES OF AMERICA,)
)
)
)
vs.)
)
)
RAUL MARTINEZ-MARTINEZ.)
)

)

O R D E R

THIS MATTER is before the Court *sua sponte* to continue the case.

On December 18, 2007, the Defendant was charged in a bill of indictment with re-entering the United States after having been denied admission, excluded, deported and/or removed and subsequent to a conviction for the commission of an aggravated felony, in violation of 8 U.S.C. §§ 1326(a) and (b)(2). An initial appearance was held on January 4, 2008, at which time counsel was appointed. At this hearing, the Defendant's case was placed on the February 11, 2008 calendar for trial.

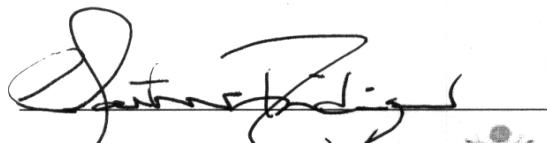
The Court finds that this case should be continued. If the case remained on the February 11, 2008 term, counsel would not have an adequate opportunity to prepare for trial, taking into account the exercise of due diligence. The Court therefore finds that a failure to grant the

continuance "would unreasonably deny the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(8)(B)(iv).

For the reasons stated herein, the ends of justice served by the granting of the continuance outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

IT IS, THEREFORE, ORDERED that the above-captioned case is **CONTINUED** from the February 11, 2008 term in the Charlotte Division.

Signed: January 7, 2008



Martin Reidinger
United States District Judge

